

**BARBERING AND COSMETOLOGY EXAMINING BOARD
MINUTES
April 3, 2006**

PRESENT: Mary Blake, Jeannie Bush, Rod Gottfredsen, Nancy Paggao, Howard Twait, Jeffrey Patterson

EXCUSED: Janice Boeck, Vera Harris

STAFF PRESENT: Tim Wellnitz, Bureau Director; Dennis Schuh, Legal Counsel; Nicole Goodman, Bureau Assistant; Other Department Staff were present for portions of the meeting

GUESTS: Ann Direnne, Elizabeth Niderwaur, Cathy Ruesch, Samantha Mortimer, Lauri Thomas, Shiela Caudill, Emma Berry, Sherry Gissal, Julie Stutenrauch, Jacklyn Flejter, Abbie Wobig, Lindsey Bregantini, Jessica Heyer, Shelby Gaschen, Katie Muldowriex, Amy McCue, Pilar Raad, Linda Garcia, Tanya Bissel, Katherine Mantey, Renee Vaukel, Chrystal Koller, Molly Leis, Kira Kesler, Kris Rohde, Becky Simons, Nicole Smith, Hafeezah Ahmad, Deanne Liebmann, Amanda Stumpf, Alex Koehler, Sara Smith, Amanda Gull, Rachel Petitt, Kerry Freiburges, Ann Neshek, Amber Heaton, Crystal Knutson, Jessica Jankovich, Makea Burrage, Charlene Layton, Jessica Labiszak, Jenna Clemans, Colleen Kallas, Jennifer Hatch

CALL TO ORDER

Jeannie Bush, Chair, called the meeting to order at 9:37 a.m. A quorum of six members was present.

AGENDA

Agenda Additions:

- Open Session: Under Item "C" # 7 – Add Tina Lou and Q Nail 03 BAC 072
- Closed Session: After item "HH" – Add Tina Lou and Q Nail 03 BAC 072

MOTION: Rod Gottfredsen moved, seconded by Mary Blake, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES (02/06/2006)

MOTION: Jeffrey Patterson moved, seconded by Howard Twait, to approve the February 6, 2006 minutes as written. Motion carried unanimously.

**ADMINISTRATIVE REPORT
TIM WELLNITZ, BUREAU DIRECTOR**

Secretary Celia Jackson

Secretary Jackson reported that she has been accompanying inspectors during visits to salons with Department staff investigators. She discussed with the Board members how they could make consumers more aware of sanitation issues. The Board provided feedback. The Secretary informed the Board that the Continuing Education Sub-Committee would be allowed to meet as requested by the Board. Secretary Jackson reminded the Board of her open door policy. Mr. Wellnitz gave his e-mail address to the audience as a contact for any questions.

Continuing Education Sub-Committee

Mr. Wellnitz informed the Board that there will be 3 Board members appointed to the Barbering and Cosmetology Sub-Committee. The Sub-Committee will meet at 8:00 a.m. on the day of the Barbering and Cosmetology Examining Board meeting, as needed.

Jeannie Bush appointed Nancy Paggao and Janice Boeck, and herself to the Sub-Committee. Jeffrey Patterson volunteered to be on the Sub-Committee if Janice Boeck is unable to participate.

Summary Reports on Pending Court Cases, Disciplinary Cases and Administrative Rules and Press Releases

Noted.

**PRESENTATION OF PROPOSED STIPULATIONS BY DIVISION OF
ENFORCEMENT OR ANY THAT SUBMITTED AFTER PRINTING OF THE AGENDA**

The Division of Enforcement gave a presentation for the following Stipulation:

Tina Lu and Q Nails 03 BAC 072.

LEGISLATIVE/ADMINISTRATIVE RULES UPDATE

Discussion of Proposed Rules Relating to Microdermabrasion and Chemical Skin Peels

Dennis Schuh discussed Clearinghouse Report with the Board as well as other comments received related to the rule. Dennis Schuh will make the changes the Board requested on the rule and place it on the next agenda for approval from the Board.

SB 380 relating to: The Barbering and Cosmetology Examining Board

The bill has passed both houses of the Legislature and is waiting for the Governor to act on it.

EXAMINATION AND EDUCATION

Discussion of Electrologist Apprenticeships

Mary Pierce and Hafeezah Ahmad, Department of Workforce Development, met with the Board to discuss how the electrologist apprenticeship program would work. The Board requested that Mr. Wellnitz contact Ken Moore with the DWD Bureau of Apprenticeship Standards to see if Mr. Moore would be available to meet with the Board regarding electrology, nail technician and esthetician apprenticeship opportunities.

DIVISION OF ENFORCEMENT

REQUEST FOR MODIFICATION TO FORFEITURE GRID

Kelly Sankbeil, DOE, requested that the Board consider revising the Forfeiture Grid by adding a separate category for "Failure to Changing Solution Daily".

MOTION: Mary Blake moved, seconded by Nancy Paggao, to revise the Forfeiture Grid and add a separate category for "Failure to Change Solution Daily" with the first violation being \$100; the second violation ranging from \$100 to \$250; the third violation ranging from \$250 to \$500; and fourth violation ranging from \$500 to \$1000. Motion carried unanimously.

REVIEW/REFRESHER OF THE BAC CITATION PROCEDURE

Laura Herman gave a brief review of the BAC Citation Procedure. The Board suggested that if a citation is not paid, the fine escalades until it is paid.

TRAVEL

NIC ANNUAL CONFERENCE, AUGUST 26-28, 2006 PORTLAND, MAINE

The Board requested that the NIC Annual Conference and the NABBA Annual Conference be placed on the next agenda.

MISCELLANEOUS INFORMATION

None.

LETTER RELATED TO INSTRUCTOR/STUDENT RATIOS AND RESPONSE FROM TIM WELLNITZ

Noted.

NEW BUSINESS

None.

BOARD MEMBER ACTIVITY

None.

VISITORS COMMENTS

Laurie Thomas addressed the Board with concerns that students do not get enough training in school to practice microdermabrasion. She would like to see an advanced training for microdermabrasion with continuing education. Gail Herman addressed the Board in support of advanced training for microdermabrasion.

CONVENE TO CLOSED SESSION

MOTION: Mary Blake moved, seconded by Nancy Paggao, to convene to Closed Session to deliberate on cases involving hearings (s. 19.85 (11) (a), Stats.); to consider licensure or discipline (s. 19.85(1) (b), Stats. to consider individual histories or disciplinary data (s. 19.85(1) (f), Stats.); and to confer with legal counsel (s. 19.85(1) (g), Stats.). Roll Call Vote: Mary Blake-yes; Jeannie Bush-yes; Rod Gottfredsen-yes; Nancy Paggao-yes; Jeffrey Patterson-yes.; Howard Twait-yes. Motion carried unanimously.

Open session recessed at 12:50 a.m.

The Board deliberated on monitoring reports, proposed stipulations, administrative warnings, case closings, examination issues, request for appeal of denials, application review, reinstatement requests, case status reports, and consulted with Legal Counsel.

RECONVENE INTO OPEN SESSION

MOTION: Jeffrey Patterson moved, seconded by Rod Gottfredsen, to reconvene into Open Session at 12:54 p.m. Motion carried unanimously.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

CASE CLOSINGS AND CITATIONS

CASE CLOSINGS

MOTION: Howard Twait moved, seconded by Jeffrey Patterson, to close the following cases as presented by the Division of Enforcement. Motion carried unanimously.

03 BAC 003

03 BAC 005

03 BAC 061

03 BAC 064
03 BAC 067
03 BAC 080
03 BAC 095
03 BAC 108
03 BAC 111
04 BAC 029
04 BAC 042
04 BAC 052
04 BAC 063
04 BAC 079
04 BAC 106
05 BAC 001
05 BAC 061
05 BAC 074
05 BAC 093

STIPULATIONS

MOTION: Jeffrey Patterson moved, seconded by Howard Twait, to accept the Stipulations, Findings of Facts, Conclusions of Law and Orders in the matters concerning **Luu Phoung Nguyen and Super Nails (03 BAC 057), Lori L. Sheetz (04 BAC 088), Shawna L. Brandenburg (04 BAC 089) Amy K. Rosen (04 BAC 090), Johhny Santiago and Plaza Barber Stylists (05 BAC 001), Janet B. Studsville and Just Nails (05 BAC 003) and Tina Lu and Q Nail (03 BAC 072).** Motion carried unanimously.

ADMINISTRATIVE WARNINGS

MOTION: Rod Gottfredsen moved, seconded by Mary Blake, to approve the administrative warnings in the matter of **03 BAC 025 and 04 BAC 016.** Motion carried unanimously.

PROPOSED DECISION

JOSE BARBER EXTRAORDINAIRE – 03 BAC 011

MOTION: Rod Gottfredsen moved, seconded by Jeffrey Patterson, to adopt the Stipulation, Findings of Fact, Conclusions of Law and Order, in the matter concerning Jose Barber Extraordinaire – 03 BAC 011. Motion carried unanimously.

ADJOURNMENT

MOTION: Howard Twait moved, seconded by Mary Blake, to adjourn the meeting at 12:56 p.m. Motion carried unanimously.

NEXT MEETING: JUNE 5, 2006